

**COMPLAINT INVESTIGATION SUMMARY**

COMPLAINT NUMBER:	2174.05
COMPLAINT INVESTIGATOR:	Brian Simkins
DATE OF COMPLAINT:	September 23, 2004
DATE OF REPORT:	October 21, 2004
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	November 16, 2004

**COMPLAINT ISSUES:**

Whether MSD Lawrence Township violated:

511 IAC 7-27-5(b) by failing to provide the parent with written notice of the denial of requested placement in accordance with 511 IAC 7-22-2(d).

**FINDINGS OF FACT:**

1. The Student has been identified as having autism spectrum disorder and determined eligible for special education and related services.
2. A CCC meeting was convened on September 14, 2004, to discuss the Student's progress in an outside supplemental tutoring program. Up to this point, the Student had missed several days of school. At this CCC meeting, the Complainant shared several doctor notes indicating that it may be a medical necessity to change the Student's placement to homebound. Since this was a more restrictive placement, and because the Student has had several changes of placement at the Parent's request the past several years, the CCC agreed to gather more information and then re-convene. The Complainant signed the IEP indicating agreement with this plan of action. The CCC notes state, "...the mother is requesting homebound instruction and [the special education coordinator] will investigate", and "...will reconvene in 2-3 weeks." The School subsequently asked the Complainant to sign a release of information in order for the School to contact the Student's doctor for clarification.
3. The School received the release on September 30, 2004. That same day the School left two voicemails with the Complainant offering two possible dates to convene the CCC to revise the Student's IEP for a change of placement and followed up with a Notice of Case Conference Committee Meeting that was mailed October 1, 2004.

**CONCLUSIONS:**

Finding of Fact #2 indicates the CCC Report is written notice of the School's response to the Complainant's request for a change of placement. Finding of Fact #3 indicates the School implemented the agreed plan of action regarding the change of placement. Therefore, a violation of 511 IAC 7-27-5(b) is not found.

**The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.**